

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

)  
MARK BOWERS, )  
 )  
Petitioner, )  
 )  
v. ) Case No. 4:11CV00937 AGF  
 )  
TERRY RUSSELL, )  
 )  
 )  
Respondent. )

**MEMORANDUM AND ORDER**

This matter<sup>1</sup> is before the Court on the motions of Petitioner Mark Bowers for a default judgment. (Doc. Nos. 21 & 22.) In both motions, Petitioner seems to assert that a default judgment should be entered because Respondent has filed nothing other than only his response to the petition. This argument is without merit.

The record indicates that Respondent filed a timely Response on September 14, 2013, (Doc. No. 13), and Petitioner acknowledges that he has received the Response. Nothing further is required of Respondent and he has no obligation to file additional pleadings at this time. For this reason, Petitioner's motions will be denied.

Accordingly,

**IT IS HEREBY ORDERED** that Petitioner's *Pro Se* Motion for Default is **DENIED**. (Doc. No. 21.)

**IT IS FURTHER ORDERED** that Plaintiff's "Motion for Default, Second Notice" is **DENIED**. (Doc. No. 22.)

*Audrey G. Fleissig*  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 13<sup>th</sup> day of March, 2014.